

Application No.: 10/725,931
Amendment Dated: February 15, 2010
Reply to Office Action of: November 13, 2009

MTS-3583US

Remarks/Arguments:

Claims 1, 2, 6 and 7 are pending and rejected in the application. Claims 1, 6 and 7 have been amended. No new matter has been added.

On page 5, the Official Action rejects claim 6 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicants have, therefore, amended claim 6 to recite "a processor." Support for the processor can be found on at least page 25 of Applicants' specification where a computer is cited for performing the recording and reproducing method. Withdrawal of the rejection is respectfully requested.

On page 6, the Official Action rejects claim 7 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. On page 7 of the Official Action, the Examiner suggests amending the claim to replace "computer readable medium" with "computer readable non-transitory storage medium." Applicants have, therefore, adopted the Examiner's suggestions. Withdrawal of the rejection is respectfully requested.

On page 7, the Official Action rejects claims 1-2 and 6-7 under 35 U.S.C. § 103(a) as being unpatentable over Ando (US 6,341,196) and Cazier (US 7,143,114). It is respectfully submitted, however, that these claims are patentable over the art of record for the reasons set forth below.

Applicants' invention, as recited by claim 1, includes features which are neither disclosed nor suggested by the art of record, namely:

... record data file holding position information, which indicates a position where said data file is held, in a data file holding position information file held on said record medium ...

...reproduce said predetermined data stored by said data file by using said data file holding position information ...

...said data file holding position information is recorded, along with data of said predetermined file system, in said data file holding position information file ...

Claim 1 relates to data file holding position information which is recorded along with the data of the predetermined file system. Specifically, the holding position information file allows the system to know the recording positions of the data files without actually analyzing the file system. Support for this feature can at least be found in Figs. 3-5 and furthermore, on pages 13-16 of the specification. No new matter has been added.

On pages 7 and 8, the Official Action suggests that Figs. 13A, 14, 15, 18, 19 and 24 of Ando suggest a data file holding position information file for reproducing the data files. Specifically, Fig. 13A of Ando shows a file structure 486 which includes file identifiers (FID) to identify certain files on the system (e.g. files H and I). However, when the system wants to determine the recording position of a data file, it must analyze the file structure 486 to locate the FID (the file system 486 must be analyzed). Ando does not suggest that a file holding position information is recorded in a file holding position information file along with the data of said predetermined file system.

Applicants' claim 1 is different than the art of record because the data file holding position information is recorded in a separate file called the data file holding position information file. This data file holding position information file is then recorded along with the data of said predetermined file system ("*... record data file holding position information, which indicates a position where said data file is held, in a data file holding position information file held on said record medium ... reproduce said predetermined data stored by said data file by using said data file holding position information ... said data file holding position information is recorded, along with data of said predetermined file system, in said data file holding position information file ...*").

The data file holding position information file is at least shown in Fig. 3 where the recording positions of the data files are stored. For example, as shown in Fig. 4 the first entry in the recording position information file may indicate the file size of a particular data file and the recording position 1000h of that file. Thus, when that particular data file is to be reproduced, the system reads file 17 (it does not analyze the entire file system). This feature is at least shown in Fig. 5 where the recording position information file 17 is recorded on the recording medium 15 along with the data files 13 of the predetermined file system (the recording position information file

Application No.: 10/725,931
Amendment Dated: February 15, 2010
Reply to Office Action of: November 13, 2009

MTS-3583US

17 is recorded along with the data files and is in a separate file by itself). This feature is at least supported on page 14, line 8 to page 15, line 16 of the specification ("*it is possible, just by reading the recording position information file, to know the recording positions of all the contents files, and so it is not necessary to analyze the file system for the sake of obtaining the recording positions*"). Thus, Applicants' system analyzes a file called the recording position information file which indicates the recording positions of the data files in the system (the entire file system does not need to be analyzed as in the Ando reference).

On page 9, the Official Action relies on the Cazier reference to disclose a unique ID. Cazier, however, does not make up for the deficiencies of Ando. Thus, claim 1 is patentable over the art of record for at least the reasons set forth above.

Independent claim 6, includes similar features to claim 1. Thus, independent claim 6 is also patentable over the art of record for at least the reasons set forth above.

Dependent claims 2 and 7 include all of the features of the claims from which they depend. Thus, claims 2 and 7 are also patentable over the art of record for at least the reasons set forth above.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,



Jacques L. Etkowicz, Reg. No. 41,738
Attorney for Applicants

RAE/nm/fp

Dated: February 15, 2010

P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

DWW/586451